
HOUSE BILL No. 1683

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Attorney's fees in worker's compensation cases. Requires the worker's compensation board to amend its rules to provide for increased attorney's fees for claims before the board.

Effective: Upon passage.

Liggett

January 21, 2003, read first time and referred to Committee on Labor and Employment.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1683

A BILL FOR AN ACT concerning labor and industrial safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "attorney's fees" means the fees requested for
3 compensation for service provided by an attorney to a claimant
4 under the worker's compensation law and the worker's
5 occupational diseases law as provided under IC 22-3-1-3(b)(3).

6 (b) As used in this SECTION, "board" refers to the worker's
7 compensation board established under IC 22-3-1-1.

8 (a) As used in this SECTION, "claim" refers to a claim for
9 compensation under IC 22-3-2 through IC 22-3-7 filed with the
10 worker's compensation board established under IC 22-3-1-1.

11 (c) The board shall adopt rules under IC 4-22-2 to amend its
12 schedule of attorney's fees in 631 IAC 1-1-24, applicable to all
13 claims filed on or after September 1, 2003, except as provided in
14 subsection (e), to reflect the following attorney's fees:

15 (1) A minimum of one hundred dollars (\$100).

16 (2) Twenty percent (20%) of the first twenty-five thousand
17 dollars (\$25,000) of recovery.

18 (3) Fifteen percent (15%) of the second twenty-five thousand



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1 dollars (\$25,000) of recovery.

2 (4) Ten percent (10%) of recovery over fifty thousand dollars
3 (\$50,000).

4 (e) The board maintains continuing jurisdiction over all
5 attorney's fees in claims before the board and may order a
6 different attorney's fee schedule or allowance for a claim.

7 (f) This SECTION expires December 31, 2004.

8 SECTION 2. An emergency is declared for this act.

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